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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): LEE, Hyun-Woo et al.

Examiner: CHANG, Edith M.

Serial No.: 09/935,553

Group Art Unit: 2637

Filed: August 22, 2001

Docket: 678-718 (P9880)

For: **TRANSMIT DIVERSITY APPARATUS AND METHOD USING TWO
OR MORE ANTENNAS**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

ATTENTION: REFUND SECTION,
ACCOUNTING DIVISION,
OFFICE OF FINANCE

REQUEST FOR REFUND

(Improper Charge of Deposit Account)

I. REFUND REQUEST

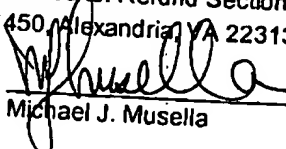
This is a request for a refund with respect to the charge to Deposit Account No. 04-1121 shown on the statement dated December 30, 2005 for the above-identified application.

A copy of the monthly statement in which the error referred to occurs accompanies this request.

CERTIFICATION UNDER 37 C.F.R. §1.8 (a)

I hereby certify that this paper is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Refund Section, Accounting Division, Office of Finance, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Dated: May 22, 2006


Michael J. Musella

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II. FEES CHARGED FOR WHICH REFUND REQUESTED

2006 MAY 24 PM 4:55

US PATENT & TRADEMARK
OFFICE

AMOUNT OF REFUND
REQUESTED

<input type="checkbox"/> filing fee	_____
<input type="checkbox"/> surcharge for filing the basic filing fee on a date later than the filing date of the application (37 C.F.R. §1.16(e))	_____
and/or	
<input type="checkbox"/> surcharge for filing the oath or declaration on a date later than the filing date of the application (37 C.F.R. §1.16(e))	_____
<input type="checkbox"/> extension of term	
<input type="checkbox"/> first month	_____
<input checked="" type="checkbox"/> second month	_____
<input type="checkbox"/> third month	\$450.00
<input type="checkbox"/> fourth month	_____
<input type="checkbox"/> excess claims	_____
<input type="checkbox"/> issue fee	_____
<input type="checkbox"/> petition fee	_____
<input type="checkbox"/> patent maintenance fee	_____
<input type="checkbox"/> first maintenance fee	_____
<input type="checkbox"/> second maintenance fee	_____
<input type="checkbox"/> third maintenance fee	_____
<input type="checkbox"/> patent maintenance fee surcharge	_____
<input type="checkbox"/> other _____	_____
_____	_____
_____	_____

TOTAL REFUND REQUESTED \$420.00

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III. EXPLANATION OF WHY CONTESTED CHARGE IS IN ERROR

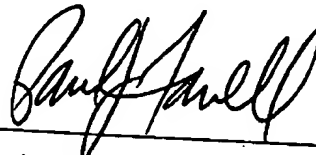
On August 8, 2005 the U.S. Patent and Trademark Office mailed an incorrect Notice of Non-Compliant Amendment. The undersigned contacted the Examiner to correct this paper. An Office Action was mailed on September 6, 2005 correcting the Notice of Non-Compliant Amendment. On December 6, 2005 a Response to the Office Action was filed, and received by the U.S. Patent and Trademark Office (the Office) on December 8, 2005 as evidenced by the return postcard attached hereto.

It is respectfully submitted that the fee for the two months Extension of Time of \$450.00 is not justified, as the Response was filed with the U.S. Patent and Trademark Office on time.

IV. MANNER OF REFUND

Please make refund by crediting Deposit Account No. 04-1121.

Respectfully requested,



Paul J. Farrell

Reg. No. 33,494

DILWORTH & BARRESE
333 Earle Ovington Boulevard
Uniondale, NY 11553
(516) 228-8484

United States Patent and Trademark Office
- Sales Receipt -

~~12/16/2005 DSAVOY 00000002 041121 09935553~~

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Adjustment date: 06/22/2006 SFELEKE1
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